

AO 440 (Rev. 03/08) Civil Summons (Page 2)

**Proof of Service**


I declare under penalty of perjury that I served the summons and complaint in this case on \_\_\_\_\_,  
by:

- (1) personally delivering a copy of each to the individual at this place, \_\_\_\_\_;  
\_\_\_\_\_; or
- (2) leaving a copy of each at the individual's dwelling or usual place of abode with \_\_\_\_\_  
who resides there and is of suitable age and discretion; or
- (3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is  
SCOTT LASCALA AT 9:00 AM; or
- (4) returning the summons unexecuted to the court clerk on \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \_\_\_\_\_.

Date:

4/17/08

  
Signature of Server

LEW INDELLINI  
Printed name and title

230 N MARKET ST, WILM DE 19801  
Address of Server

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UNITED STATES DISTRICT COURT  
For the District of Delaware

PJM INTERCONNECTION, LLC,  
directly and derivatively on behalf  
of Power Edge, LLC,

Plaintiff,

v.

MARK GORTON; TOWER RESEARCH  
CAPITAL LLC; TOWER RESEARCH CAPITAL  
INVESTMENTS, LLC; ACCORD ENERGY, LLC;  
BJ ENERGY, LLC; FRANKLIN POWER, LLC;  
GLE TRADING, LLC; OCEAN POWER, LLC;  
PILLAR FUND, LLC; and POWER EDGE LLC,

Defendants.

Civil Action No.: 08 - 216 -

Summons in a Civil Action

TO: FRANKLIN POWER, LLC  
c/o The Corporation Trust Company  
CORPORATION TRUST CENTER  
1209 ORANGE STREET  
WILMINGTON, DE 19801

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not continuing the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Collins J. Seitz, Jr. (Bar No. 2237)  
Max B. Walton (Bar No. 3876)  
Connolly Bove Lodge & Hutz LLP  
The Nemours Building  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, DE 19899

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**PETER T. DALLEO**

Name of clerk of court

DATE:

4/16/08

*Beth Dune*

Deputy clerk's signature